

REMARKS

By this Amendment, the Specification has been amended to provide definitions of "diffraction," "absorption," "reflection" and "diffusion," and Claim 1 has been amended, to place this application in immediate condition for allowance.

Applicants first wish to thank Examiner McCloud and Primary Examiner Martin for their courtesy in granting an interview that was conducted on March 31, 2005, in the Examiner's conference room with Applicants' Attorney, H. Jay Spiegel, and co-inventor, Dr. Peter D'Antonio. During the course of the interview, Applicants agreed to amend the Specification to include definitions of the acoustical terms "diffraction," "absorption," "reflection" and "diffusion" such as were known to those of ordinary skill in the art at the time the invention was made. Those definitions are unchanged to date. Applicants also agreed to amend independent Claim 1 as shown on the attachment to the Interview Summary Form of March 31, 2005. Examiner McCloud made no commitment as to allowability, but indicated that the search would be updated and the Amendment would be considered on the merits. Examiners McCloud and Martin are again thanked for their courtesy in conducting the interview.

As explained above, the Specification has been amended to provide definitions of the terms "diffraction," "absorption," "reflection" and "diffusion" such as were known to those of

ordinary skill in the art at the time the invention was made. Again, those definitions are unchanged to date. Those definitions make it clear that the references applied against the claims as previously presented are inapplicable. With particular reference to U.S. Patent Nos. 2,502,016 to Olson, 5,422,446 to Fries, and 6,015,026 to McGrath, none of these references teaches or suggests sound diffusion as recited in independent Claim 1 as amended. In particular, Claim 1 as amended recites "a non-sound absorbing body having a front surface configured to diffuse some of said sound waves ...". As none of the cited references teaches diffusion, it is respectfully submitted that the claims patentably distinguish from these references. Furthermore, none of the references of record teaches the combination of elements recited in independent Claim 1, namely, a front surface that diffuses some of the incident sound waves, a rear surface absorbing others of the sound waves, and communication between these surfaces through the body.

Accordingly, it is respectfully submitted that the application is now in condition for allowance. As such, reconsideration and allowance of this application are respectfully solicited.

If, after reviewing this Amendment, the Examiner believes that a further interview with Applicants' Attorney would be helpful in expediting the prosecution of this patent application, the Examiner is respectfully requested to telephone Applicants' Attorney locally

at (703) 619-0101 so that a discussion of any outstanding issues may be had.

Again, reconsideration and allowance of this application are respectfully solicited.

Respectfully submitted,

H. JAY SPIEGEL & ASSOCIATES

A handwritten signature in cursive script, reading "H. Jay Spiegel", is written over a horizontal line.

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